

Byrum *et al.*

Appl. No. 09/333,534

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Appl. No. 09/333,534

Filed: June 14, 1999

For: Nucleic Acid Molecules and Other  
Molecules Associated with PlantsInventors: Timothy W. Conner *et al.*

Art Unit: 1631

Examiner: A. Marschel

Atty. Docket: 38-21(15404)B

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Linda T. Parker

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Linda T. Parker (Reg. No. 46,846)  
(Signature)

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Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: Continued Prosecution Application Under 37 C.F.R. § 1.53(d)  
Appl. No. 09/333,534 Filed: 06/14/99  
Inventors: Conner et al  
Our Ref: 38-21(15404)B

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Continued Prosecution Application (CPA) Request Transmittal Form PTO/SB/29 (in duplicate); and
2. Petition for Extension of Time under 37 C.F.R. § 1.136 (in duplicate).
3. Request and Certification under 35 U.S.C., 122(b)(2)(B)(i)
4. Certificate of Facsimile Transmission for each copy of the Continued Prosecution Application Request Transmittal Form PTO/SB/29.
5. Certificate of Facsimile Transmission for each copy of the Petition for Extension of Time under 37 C.F.R. § 1.136.
6. Certificate of Facsimile Transmission for Request and Certification under 35 U.S.C., 122(b)(2)(B)(i).

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, including, but not limited to, any fees required for extensions of time to ensure copendency of parent Application No. 09/333,534 to our Deposit Account No. 13-4125. A duplicate copy of this letter is enclosed.

Respectfully submitted,

  
Linda T. Parker (Reg. No. 46,046)

Enclosures

Conner *et al.*

Appl. No. 09/333,534

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Washington, D.C. 20231

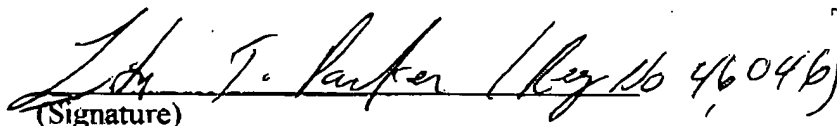
## Certificate of Transmission

I hereby certify that this Request and Certification under 35 U.S.C.

122(b)(2)(B)(i) is being facsimile transmitted to the United States Patent and

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PTO/SB/35 (11-00)

Approved for use through 10/31/2002. OMB 0651-0031  
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**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

CONNER, Timothy W.

Title

Nucleic Acid Molecules and Other Molecules Associated with Plants

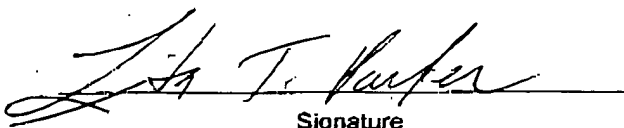
Atty Docket Number

38-21(15404)B

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

03/08/01

Date



Signature

Linda T. Parker (Reg. No. 46,046)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.